

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Alexander Gallegos,

File No. 24-cv-3480 (ECT/GNL)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Jared Rardin, *Warden, Rochester FMC*,

Defendant.

Magistrate Judge Tony L. Leung issued a Report and Recommendation on October 1, 2024. ECF No. 4. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based on all the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 4] is **ACCEPTED**; and
2. The action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 4, 2024

s/ Eric C. Tostrud
Eric C. Tostrud
United States District Court